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11 JOHN MUKHAR, DALE DAPP, JAMES ATKINS,  
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15 **IN THE SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
16 **IN AND FOR THE COUNTY OF SANTA CLARA**

17 JOHN MUKHAR, DALE DAPP, JAMES  
18 ATKINS, WILLIAM BUFFINGTON and  
19 KIRK PENNINGTON,

20 Plaintiffs and Petitioners,

21 vs.

22 CITY OF SAN JOSE, DEBRA FIGONE, in  
23 her official capacity as City Manager of  
24 the CITY OF SAN JOSE, and Does 1  
25 through 15,

26 Defendants and Respondents.

27 THE BOARD OF ADMINISTRATION FOR  
28 THE 1975 FEDERATED CITY  
EMPLOYEES' RETIREMENT PLAN,

Necessary Party in Interest

Case No. 112CV226574

**NOTICE OF RELATED CASE**  
**[CRC §3.300]**

TO ALL PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the following actions are related to this action:

- (1) *Sapien et al v. City of San Jose, et al*; Santa Clara County Superior Court  
Case Number 112CV225928 filed June 6, 2012;
- (2) *San Jose Police Officers' Association v. City of San Jose, et al*; Santa  
Clara County Superior Court Case Number 112CV225926 filed June 6, 2012;
- (3) *Harris et al v. City of San Jose, et al*, Santa Clara County Superior Court

1 Case Number 112CV226570 filed June 15, 2012;

2 (4) *City of San Jose v. San Jose Police Officers' Association, et al*, United  
3 States District Court Case Number C12-02904-LHK-PSG, filed June 5, 2012.

4 All of these cases involve questions of the constitutionality of Measure B  
5 approved by the voters on June 5, 2012 which amends portions of the City of San  
6 Jose Charter.

7 All of the foregoing cases seek declaratory judgment, injunctive and mandamus  
8 relief alleging that Measure B passed by the voters on June 5, 2012 amending the  
9 City Charter of the City of San Jose is unconstitutional.

10 July 3, 2012

11 WYLIE, McBRIDE,  
12 PLATTEN & RENNER

13   
14 JOHN McBRIDE

15 Attorneys for Plaintiffs and Petitioners  
16 JOHN MUKHAR, DALE DAPP, JAMES ATKINS,  
17 WILLIAM BUFFINGTON and KIRK PENNINGTON  
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**PROOF OF SERVICE**  
**(C.C.P. 1013(3) & 1011)**  
**(Revised 1/1/88)**

I, the undersigned, say:

That I am now and at all times herein mentioned a citizen of the United States and resident of Santa Clara County, California. I am over the age of eighteen years and not a party to this action. My address is 2125 Canoas Garden Ave., Suite 120, San Jose, CA 95125. On this date I served

**NOTICE OF RELATED CASES [ CRC §3.300]**

X by placing a true copy thereof, enclosed in a sealed envelope with postage fully prepaid, in the United States Post Office mail at San Jose, Santa Clara County, California, addressed as set forth below. I am familiar with my firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

City Clerk City of San Jose 200 East Santa Clara Street San Jose, CA 95113	Richard Doyle, City Attorney City of San Jose 200 East Santa Clara Street San Jose, CA 95113
Debra Figone, City Manager City of San Jose 200 East Santa Clara Street San Jose, CA 95113	Arthur A. Hartinger, Esq. Meyers, Nave, Riback, Silver & Wilson 555 12 <sup>th</sup> Street, Suite 1500 Oakland, CA 94607 <i>Attorneys for The City of San Jose</i>
Teague P. Paterson, Esq. Vishtasp M. Soroushian, Esq. Beeson, Tayer & Bodine, APC 483 Ninth Street, 2 <sup>nd</sup> Floor Oakland, CA 94607-4051 <i>Attorneys for Municipal Employees Federation, AFSCME Local 101</i>	Gregg McLean Adam, Esq. Jonathan Yank, Esq. Carroll, Burdick & McDonough LLP 44 Montgomery Street, Suite 400 San Francisco, CA 94104 <i>Attorneys for San Jose Police Officers' Association</i>
Harvey L. Leiderman, Esq. Reed Smith, LLP 101 Second Street, Suite 1800 San Francisco, CA 94105 <i>Attorneys for The Board of Administration for the 1961 San Jose Police and Fire Department Retirement Plan and The Board of Administration for the 1975 Federated City Employees' Retirement Plan</i>	

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on this 3<sup>rd</sup> day of July, 2012, at San Jose, California.



LINDA M. TODD